

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CARPENTERS HEALTH AND
SECURITY TRUST OF WESTERN
WASHINGTON, *et al.*,

Plaintiffs,

v.

DELTA INTERIORS LLP, *et al.*,

Defendants.

CASE NO. C18-1726-JCC

ORDER

This matter comes before the Court on Plaintiffs' motion for leave to serve Defendants by publication (Dkt. No. 6). Having thoroughly considered the briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

A plaintiff may, among other methods, serve a defendant located in the United States by "following state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located or where service is made." Fed. R. Civ. P. 4(e)(1). In Washington, service by publication is permitted under limited circumstances, such as when a defendant who is a resident of Washington (1) cannot be found within the state, despite the plaintiff's diligence, and (2) "keeps himself or herself concealed" within the state "with intent to . . . avoid the service of a summons." *See* Wash. Rev. Code § 4.28.100. When the officers or

1 registered agents of a business entity cannot be found, the business entity may likewise be served
2 by publication. *See id.*; Wash. Rev. Code § 23.95.450.

3 Defendant Ignacio Mejia is the agent who accepts service for Defendant Delta Interiors
4 LLP. (*See* Dkt. No. 1 at 3.) Plaintiffs have made diligent efforts to serve Defendant Mejia. (*See*
5 Dkt. No. 7.) Plaintiffs have attempted to contact Defendant Mejia at multiple known addresses,
6 and have hired a private investigator to attempt to discover Defendant Mejia's whereabouts. (*Id.*
7 at 2.) Their efforts to locate Defendant Mejia have failed. Moreover, it appears that Defendant
8 Mejia knows about this litigation or its underlying claims. (*Id.* at 3–4.) The record suggests that
9 Defendant Mejia is concealing himself in order to avoid service.

10 For the foregoing reasons, Plaintiffs' motion for leave to serve Defendant Mejia by
11 publication (Dkt. No. 6) is GRANTED. The time to serve both Defendants is EXTENDED by 90
12 days from the date of this order.

13 DATED this 5th day of March 2019.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE